

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2007-008866

05/30/2012

HONORABLE CHRISTOPHER WHITTEN

CLERK OF THE COURT

K. Philpot

Deputy

IN RE THE MATTER OF
RENEE J MACIAS

RENEE J MACIAS
21770 N GREENLAND PARK DR
MARICOPA AZ 85139

AND

RYAN S MACIAS

RYAN S MACIAS
4368 E. CHEROKEE ST.
PHOENIX AZ 85044

DOCKET-FAMILY COURT CCC
FAMILY COURT SERVICES-CCC

MINUTE ENTRY

Courtroom OCH 201

11:12 a.m. This is the time set for an Evidentiary Hearing regarding Petitioner's Emergency Motion for Modification of Custody and Parenting Time and Accelerated Petition for Enforcement of Child Support filed March 28, 2012. Petitioner/Mother, Renee J. Macias, is present on her own behalf. Respondent/Father, Ryan S. Macias, is present on his own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Renee J. Macias and Ryan S. Macias are sworn.

Discussion is held with the Court regarding the status of the case.

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LET THE RECORD REFLECT the issues before the Court today are modification of parenting time and interest on child support arrearages.

Discussion is held with the Court regarding modification of parenting time.

Based upon the discussion held,

IT IS ORDERED denying Mother's motion for modification of parenting time.

IT IS FURTHER ORDERED that if either parent is unable to honor/meet his or her parenting time responsibilities, he or she shall notify the other parent as soon as possible. Each parent shall consider the other parent as care provider for the children before making other arrangements if he or she is unable to care for the children for more than twenty-four (24) consecutive waking hours.

Discussion is held with the Court regarding interest on child support arrearages.

Exhibit 1 is marked for identification and received in evidence.

LET THE RECORD REFLECT that a hearing conducted on May 16, 2012 granted Mother a judgment against Father for past child support in the amount of \$25,500.00, and past spousal maintenance of \$6,250.00, not including the accrued interest.

By agreement of the parties, the interest to be added to the arrearages is \$4,374.84 for child support and \$156.25 for spousal maintenance.

Further discussion is held regarding current child support.

11:55 a.m. The Court stands in recess.

11:58 a.m. The Court reconvenes with respective counsel and parties present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The Court has completed a child support worksheet based upon the amounts agreed upon by the parties. Based upon that calculation, Father would owe child support in the amount of \$1249.70. However, the parties have voluntarily agreed on a temporary reduction of that amount from \$1249.70 to \$900.00.

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IT IS THEREFORE ORDERED that Father shall pay to Mother the sum of **\$900.00** per month as and for current child support commencing June 1, 2012 and continuing on the same day of each month thereafter. Said amount is to be paid through the Support Payment Clearinghouse by Income Withholding Order.

LET THE RECORD REFLECT a Child Support Worksheet and Order reflecting the \$1,249.70 has been filed by the above-named deputy clerk.

IT IS FURTHER ORDERED setting payment on arrears in the amount of **\$200.00** (\$150.00 allocated to child support and \$50.00 allocated to spousal maintenance) per month commencing June 1, 2012.

In the event that the total arrearages, including principal and interest of either of those amounts are paid off, the child support will increase such that the total of child support plus arrearages (child support and spousal maintenance) equals \$1,100.00.

LET THE RECORD REFLECT an Income Withholding Order is initiated electronically by the above-named deputy clerk. Confirmation # 373513.

IT IS FURTHER ORDERED that at any time an Income Withholding Order is not paying the child support obligation in full, Father shall make full and timely payments directly to the Support Payment Clearinghouse in accordance with the instructions for making support payments through the Clearinghouse attached hereto.

If payments are made directly to the person who is to receive the support, the payments may be considered a gift and no credit will be given towards the support obligation.

Any change in the paying party's employment and any change in the residential address of either party **must** be submitted to the Clerk's office, in writing, within ten (10) days of the change [A.R.S. § 25-322(C)]. Failure to notify the Clerk's office of any change may be considered contempt of Court.

IT IS FURTHER ORDERED that every 24 months hereafter the parties shall exchange financial information, including tax returns, financial affidavits, and earnings statements.

IT IS FURTHER ORDERED that Father shall complete and submit to the Court the *Current Employer Information* form attached hereto.

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IT IS FURTHER ORDERED that Mother shall provide and maintain medical insurance for the benefit of the minor child(ren), and shall provide an insurance card and claim filing information/forms to Father. All healthcare expenses incurred for the health and protection of the minor child(ren) not covered by insurance shall be paid by the parties in proportion to their incomes as reflected on the most recent *Child Support Worksheet*, currently 72 % by Father and 28 % by Mother.

IT IS ORDERED a parent incurring unreimbursed medical expenses must request reimbursement from the other parent within 30 days of incurring the cost. A copy of the billing statement and proof of payment must be provided. The parent from whom reimbursement is sought will have 30 days to remit payment. If a parent does not submit a request for reimbursement within 30 days, the parent waives the right to reimbursement

If payment is made directly to the person who is to receive the support, the payments may be considered a gift and no credit will be given towards the support obligation.

Obligor is personally responsible for the timely payment of support as well as the \$5.00 monthly handling fee. At any time an employer and/or Obligor are not paying pursuant to the Income Withholding Order, Obligor must make timely payment of support and fees directly to the Support Payment Clearinghouse. Failure to make timely payment of support may result in a finding of contempt which may result in sanctions, including incarceration.

IT IS FURTHER ORDERED that the Federal tax exemption shall be allocated so that Petitioner may claim Mathew Macias (DOB: 9/7/03) in odd years and Respondent may claim Nathaniel Macias (DOB: 12/4/99) every year and Mathew Macias (DOB: 9/7/03) in even years.

IT IS FURTHER ORDERED that Father may only take the Federal tax exemption for the minor child(ren) in the years for which he is current with all monthly child support and arrears obligations as of December 31 of the year for which the child is claimed.

11:58 a.m. Matter concludes.

FILED: Child Support Worksheet, Child Support Order

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IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

/S/ JUDGE CHRISTOPHER WHITTEN

JUDGE CHRISTOPHER WHITTEN
JUDICIAL OFFICER OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

Attachments:

RYAN S MACIAS: Current Employer Information, Non IV-D Payment Instructions